

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NEIL GAIMAN, and
MARVELS AND MIRACLES, LLC,

Plaintiffs,

v.

Case No.: 02-CV-00048-bbc

TODD MCFARLANE,
TODD MCFARLANE PRODUCTIONS, INC.,
TMP INTERNATIONAL, INC.,
MCFARLANE WORLDWIDE, INC., and
IMAGE COMICS, INC.,

Defendants.

PLAINTIFF'S OCTOBER REPORT TO COURT

Pursuant to the Court's March 12, 2010 Opinion and Order, plaintiff Neil Gaiman files this report regarding the status of the accounting of profits due Gaiman from defendants Todd McFarlane and Todd McFarlane Productions, Inc.

On October 29, 2010, the parties submitted to the accountant their proposed schedules of revenues and deductions from revenues for each item that is subject to the accounting and their opening briefs regarding any disagreements about the content of those schedules and how the accountant should treat the derivative characters that were the subject of the Court's July 30, 2010 order.

On November 12, 2010, the parties will submit to the accountant their briefs in response to the October 29 briefs.

After the parties submit their responsive materials to the accountant on November 12, the parties will schedule a conference call with the accountant to obtain his estimate of when he expects to issue his decision.

Dated this 1st day of November, 2010.

s/Jeffrey A. Simmons

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